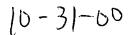
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CKET NO.: 25436/1280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DuBois and WalkerPeach/

Serial No.: 09/594,065

Art Unit: 1645

Filed:

June 14, 2000

,

For:

Compositions, Methods and Kits

For Herpes Simplex Virus

Type 1 and 2 Nucleic Acid Detection)

Assistant Commissioner for Patents Box Missing Parts Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Enclosed for filing in the above-identified patent, please find the following documents:

- 1. Response to Notice to File Missing Parts w/ Certificate of Express Mailing;
- 2. Copy of Notice to File Missing Parts;
- 3. Executed Declaration and Power of Attorney;
- 4. Copy of Executed Small Entity Statement; and
- 5. Return Postcard.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 25436/1280. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Kathleen M. Williams, Esq.

Reg. No. 34,380

PALMER & DODGE, LLP

One Beacon Street

Boston, MA 02108-3190

Phone: (617) 573-0100



Atty. Docket No.: 25436/1280

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

DuBois and WalkerPeach

Serial No.:

09/594,065

Filed:

June 14, 2000

Entitled:

Compositions, Methods and Kits for

Herpes Simplex Virus Type 1 and 2

Nucleic Acid Detection

Box: Missing Parts

Assistant Commissioner for Patents

Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the papers attached hereto are being deposited with the United States Postal Service using Express Mail, Express Mail No. EL591997732US on this date, October 30, 2000, postage prepaid, under 37 C.F.R. 1.10 in an envelope addressed to Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231.

Kathleen M. Williams, Ph.D. Name of Person Mailing Paper

Signature of Person Mailing Paper

Respectfully submitted,

Date: 10/30/60

Kathleen M. Williams, Ph.D.

Examiner:

Group Art Unit: 1645

Registration No.: 34,380

PALMER AND DODGE, LLP

One Beacon Street

Boston, MA 02109-3190

Telephone No: (617) 573-0100



Atty. Docket No.: 25436/1280

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

DuBois and WalkerPeach

Serial No.:

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Herpes Simplex Virus Type 1 and 2

Nucleic Acid Detection

Box: Missing Parts

Assistant Commissioner for Patents

Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to Notice To File Missing Parts of Application mailed <u>8/29/00</u> in the above-referenced patent application, please find enclosed a Executed Declaration and Power of Attorney Form, and Copy of Notice to File Missing Parts. Also enclosed is a check in the amount of <u>\$863.00</u> for requisite fees. The Applicants believe that a 50% reduction in fees is due as the Small Entity Statement was filed October 6, 2000, a copy of which is enclosed.

Date: 16 30 60

Respectfully submitted,

Kathleen M. Williams, Ph.D. Registration No.: 34,380

PALMER AND DODGE, LLP

Examiner:

Group Art Unit: 1645

One Beacon Street

Boston, MA 02109-3190

Telephone No: (617) 573-0100





United States Patent and Trademark Office

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023)
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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/594,065

06/14/2000

Cindy PeachWalker

25436/1280

Palmer & Dodge LLP One Beacon Street Boston, MA 02108 FORMALITIES LETTER

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Date Mailed: 08/29/2000

9/29 ON 10127



FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$906.
 - \$360 for 20 total claims over 20.
 - \$546 for 7 independent claims over 3.
- The oath or declaration is missing.
 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

• Small Entity Statement is unsigned.

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• The balance due by applicant is \$ 1726.

03 FC:203

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355.00 OP 65.00 OP 180.00 OP 263.00 OP

Palmer & Dodge, LL Patent Department

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

 $file: /\!/C: \APPS \PreExam \correspondence \2_B.xml$